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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS INTERIM ADMINISTRATION MISSION IN KOSOVO

I. INTRODUCTION

1. The Security Council, by its resolution 1244 (1999) of 10 June 1999, authorized the Secretary-General, with the assistance of the relevant international organizations, to establish an international civil presence in Kosovo, Federal Republic of Yugoslavia, in order to provide an interim administration in Kosovo under which the people of Kosovo can enjoy substantial autonomy. In my report to the Security Council of 12 June 1999 (S/1999/672), I presented a preliminary concept for the United Nations Interim Administration Mission in Kosovo (UNMIK). The current report is issued pursuant to paragraph 20 of resolution 1244 (1999), in which the Council requested me to report to it on the implementation of the resolution. The report contains a comprehensive framework of the United Nations-led international civil operation in Kosovo, and is based on the assessment conducted by the advance team of UNMIK.

2. In order to provide an initial overview of the scope of the challenge, the report first gives a brief description of the current security, political and humanitarian situation, as well as of the state of the administrative and public services infrastructure and the economy. Second, it gives a comprehensive account of the steps undertaken by the UNMIK advance team, which had to assess, plan and act at the same time. Third, it outlines in greater detail the authority and competencies of UNMIK as provided for in Security Council resolution 1244 (1999). Fourth, it sets out the structure of the Mission and the relationship between UNMIK and the international organizations which will be taking a lead role in its four components, namely the United Nations, the European Union (EU), and the Organization for Security and Cooperation in Europe (OSCE). Fifth, the complex range of activities is described which will be carried out by each component. Finally, a preliminary plan is provided of the phases of implementation of the mandated task and objectives.

3. On 2 July 1999, I appointed Bernard Kouchner as my Special Representative. I also appointed Jock Covey as Principal Deputy Special Representative, Dominique Vian as Deputy Special Representative for interim civil administration, Dennis McNamara as Deputy Special Representative for humanitarian affairs, Daan Everts as Deputy Special Representative for

institution-building, and Joly Dixon as Deputy Special Representative for reconstruction.

II. SITUATION ON THE GROUND

A. Security and political situation

4. Following the deployment in Kosovo on 12 June 1999 of the international security presence known as KFOR, the Yugoslav army and the Serbian security forces began their withdrawal from the province in accordance with the schedule established by the military-technical agreement between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the North Atlantic Treaty Organization (NATO) military authorities (see S/1999/682, annex). This withdrawal was completed by 20 June 1999. On 21 June 1999, the Kosovo Liberation Army (KLA) signed an undertaking on demilitarization, received by KFOR, which established the modalities and the schedule for the demilitarization of the KLA.

5. The general situation in Kosovo has been tense but is stabilizing. The KLA has rapidly moved back into all parts of Kosovo, in particular the south-west, and a large number of Kosovo Serbs have left their homes for Serbia. While the first wave of Kosovo Serb departures was prompted by security concerns rather than by actual threats, a second wave of departures resulted from an increasing number of incidents committed by Kosovo Albanians against Kosovo Serbs. In particular, high profile killings and abductions, as well as looting, arsons and forced expropriation of apartments, have prompted departures. This process has now slowed down, but such cities as Prizren and Pec are practically deserted by Kosovo Serbs, and the towns of Mitrovica and Orahovac are divided along ethnic lines.

6. The security problem in Kosovo is largely a result of the absence of law and order institutions and agencies. Many crimes and injustices cannot be properly pursued. Criminal gangs competing for control of scarce resources are already exploiting this void. While KFOR is currently responsible for maintaining both public safety and civil law and order, its ability to do so is limited due to the fact that it is still in the process of building up its forces. The absence of a legitimate police force, both international and local, is deeply felt, and therefore will have to be addressed as a matter of priority.

7. There are, nevertheless, signs that the situation could be improved with a view to creating an environment to facilitate the return of all Kosovo civilians to their homes. The most important confidence-building mechanism in the medium term will be the involvement, on a consultative basis, of political leaders of all communities in the decision-making processes of UNMIK.

B. Humanitarian situation

8. The humanitarian consequences of the conflict on the people of Kosovo have been profound. Out of a population estimated in 1998 to number 1.7 million, almost half (800,000) have sought refuge in neighbouring Albania, the former Yugoslav Republic of Macedonia and Montenegro during the past year. While

estimates vary, up to 500,000 persons may have been internally displaced. Many internally displaced persons (IDPs) are in worse health than the refugees, having spent weeks in hiding without food or shelter. Many refugees and IDPs bear the scars of psychological trauma as well as physical abuse.

9. As of 8 July 1999, more than 650,000 refugees had returned to Kosovo through a combination of spontaneous and Office of the United Nations High Commissioner for Refugees (UNHCR)-assisted movement. This leaves an estimated 150,000 persons in neighbouring regions and countries, 90,000 evacuees in third countries and an unknown number of asylum-seekers. Those who have not returned home will continue to require a high level of assistance in their country of asylum and upon eventual return. Within Kosovo, a still unknown number of individuals remain outside their homes. The past weeks have also witnessed an exodus of members of minority groups, primarily Serbs, into Montenegro and Serbia, where according to the Yugoslav Red Cross, approximately 58,000 displaced persons have registered for assistance.

10. Despite the hardship endured over the last three months, the health and nutritional status of both the remaining and returning population, with some limited exceptions, has not deteriorated significantly. However, the pace and scope of rehabilitation efforts in the shelter, water and sanitation sectors will have a direct impact on the population's health status as winter approaches. Widespread damage to community-level facilities of the former parallel system does raise concern about access to basic services in the near term.

C. State of public services and administration

11. The level of damage suffered during the recent conflict varies markedly across the province. Much of northern Kosovo remains virtually untouched by the hostilities, while such towns as Pec, Djakovica and Mitrovica sustained massive damage. Surveys to determine the state of public administration structures and the provision of utilities have been undertaken by UNMIK, with the assistance of a United Nations disaster assessment and coordination team and teams from the Council of Europe.

12. Neither of Kosovo's two power generation stations are currently functioning, leaving the province dependent on links with Serbia, Montenegro and the former Yugoslav Republic of Macedonia for its electrical energy. The supply of coal from the open cast mine is blocked by the breakdown of local distribution networks. Water distribution problems have plagued Pristina. The principal problems impeding water distribution in Pristina are the lack of maintenance, the failure to pay salaries and the inadequate supply of electricity to pumping stations.

13. The public service structures of Kosovo are largely inoperative due to a combination of neglect, war damage and the departure of trained staff. The municipalities are functioning inadequately or not at all. While water and electricity are usually available, the telephone lines are down, schools are not open and there is practically no public transport service. According to an assessment by the Council of Europe, the judiciary is not functioning since many

of its previous Kosovo Serb staff have recently departed, and Kosovo Albanian or other personnel either have not yet returned to Kosovo or have not yet been identified.

14. The payment of public service salaries needs to be urgently addressed since government funding for municipalities has not been provided since March 1999. As an interim measure, salaries for electrical workers will be paid by UNMIK for the next three months from funds donated by the United Kingdom and United States Governments. Additional funds, however, are urgently required to address arrears and recurrent costs in other sectors until UNMIK is able to raise income through local taxation and excise duties.

15. With no refuse disposal since March 1999 and with widespread pollution of wells and other water sources, there is a significant risk to public health throughout Kosovo. The initial assessment of health services indicates that material damage to these facilities is less serious than expected, though their status varies by municipality. Most hospitals are functioning, but patient care has been compromised by serious political disputes about the future management structure and the reintegration of Kosovo Albanian staff. The Kosovo Serbs, who have had a disproportionately important role in managing public services, are now frequently excluded or intimidated into leaving Kosovo, creating a skills gap. This major problem of reintegrating technical staff from both communities is common in most sectors.

D. Economic situation

16. The immediate economic outlook for Kosovo is precarious. Well into summer, much of Kosovo's rich agricultural land lies fallow, a grave situation for a territory that relies heavily on agriculture for its livelihood. The industrial and manufacturing sector has been severely debilitated by a long-standing lack of capital investment, and by damage caused by the conflict and in some cases by the departure of Kosovo Serb managers and staff. While an encouraging revival of commercial activity is evident, significant economic activity will continue to be hampered by the existing system of discriminatory property rights, lack of commercial or industrial finance, currency instability and other impediments. Payments systems and the financial services sector are largely non-functional. At present, much of Kosovo's current economic activity is confined to trading of scarce goods and services at inflated prices.

III. ACTIVITIES OF THE ADVANCE TEAM

17. The Special Representative ad interim, Sergio Vieira de Mello, arrived at Pristina on 13 June 1999, one day after the initial deployment of KFOR. The bulk of the UNMIK advance team was deployed in Kosovo within subsequent days. Upon deployment, UNMIK established close working relations with KFOR and various international organizations on the ground, including the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Committee of the Red Cross (ICRC) and non-governmental organizations. UNMIK has also maintained regular contacts with local representatives of the Federal Republic of Yugoslavia in Pristina. In order to enhance an early international police

presence, unarmed civilian police officers were redeployed from the United Nations Mission in Bosnia and Herzegovina. On 3 July 1999, the first international police were deployed in a liaison capacity to five locations in Kosovo.

18. On 20 June 1999, the Special Representative a.i. issued a statement in which he indicated that in accordance with Security Council resolution 1244 (1999), he would perform the executive functions of government during the transitional period until new legitimate authorities were established. To avert a violent takeover of public institutions, he has emphasized that there cannot be any changes in authority in such institutions without UNMIK's expressed approval. He further indicated his intention to appoint international administrators at the regional and municipal levels, and has taken the initial steps to re-establish a multi-ethnic and democratic judicial system in Kosovo. As an emergency measure, he has issued three decrees, one establishing a Joint Advisory Council for judicial appointments, a second appointing its members, and a third appointing four prosecutors, two investigating judges and a three-judge panel approved by the Judicial Panel. Additional candidates are currently being reviewed for appointment in the coming week.

19. In his regular contacts with federal representatives, as well as local political leaders, the Special Representative has urged them to demonstrate restraint and tolerance. At the functional level, UNMIK has established joint civilian commissions (JCCs) to facilitate the process of a mediated and controlled transition to integrated public institutions and to address such contentious issues as administration and staffing of various public facilities. This initiative was welcomed. JCCs have been established in the areas of health, universities, education and culture, municipalities and governance, post and telecommunications, and power. Representatives of Kosovo Albanian and Kosovo Serb communities participate in the councils chaired by UNMIK regional administrators. However, a continuing departure of Serb professionals and managers due to intimidation and a lack of confidence could undermine the work of the Commissions.

20. At the political level, consultations are continuing for the formation of the Kosovo Transitional Council, which will provide a mechanism for enhancing cooperation between UNMIK and the people of Kosovo, restore confidence between the communities and identify candidates for interim administration structures at all levels. This broadly representative body, which will be composed of representatives of all main ethnic and political groups in Kosovo, is intended to ensure participation of the people of Kosovo in the decisions and actions of UNMIK. It will be chaired by the Special Representative, and will provide him with advice, be a sounding board for proposed decisions and help to elicit support for those decisions among all major political groups. In addition to facilitating the work of UNMIK, the Kosovo Transitional Council will promote democratization and institution-building.

21. UNMIK immediately took steps to communicate with the people of Kosovo and the international community via all available media. Daily broadcasts were inaugurated on a private radio station, reaching a significant portion of the territory. While no newspapers are currently being published in Kosovo, direct contact has been established with the few publications in circulation in the

territory. UNMIK has consistently provided information to the international press corps in Kosovo, which serves both Kosovo and international audiences. The lack of functioning media in the territory is, however, a major obstacle to UNMIK's work.

22. With the assistance of KFOR, UNMIK has prevented some unauthorized takeovers of media facilities. UNMIK also instituted procedures governing the start-up of new radio broadcasting operations, pending the establishment of a regulatory framework under the civil administration.

23. Initial civil affairs operations began at Pristina on 14 June, at Prizren on 16 June, at Pec on 4 July and at Mitrovica and Gnjiliane on 5 July 1999. Regional administrators have now been deployed in all five regions, and links have been established with local leaders to ensure continuation of basic services and the reduction of tension.

24. UNMIK and KFOR have established close working relationships and have put in place a comprehensive structure of coordination mechanisms, including daily meetings of the Special Representative and the KFOR Commander. UNMIK liaises closely with KFOR to assist the latter in implementing its responsibility for ensuring public safety in Kosovo. This includes responding both to ordinary crimes and to politically motivated incidents, such as attempts by certain Kosovo Albanian groups to take over local government offices, hospitals and media facilities.

25. UNMIK has deployed military liaison officers to the headquarters of KFOR and to the five KFOR multinational brigades. KFOR representatives take part, as necessary, in the work of UNMIK, while UNMIK, in turn, participates in KFOR's Joint Implementation Commission (JIC), which liaises with the Federal Republic of Yugoslavia's armed forces and the KLA. As UNMIK continues its deployment, these initial coordination mechanisms will expand, particularly at the regional and municipal levels.

26. In close cooperation with KFOR, UNMIK has undertaken various confidence-building measures aimed at restraining Kosovo Albanians and reassuring Kosovo Serbs. On 2 July 1999, in response to harassment and attacks against minority groups, the Special Representative brought together Kosovo Serb and Kosovo Albanian leaders to agree on concrete measures to enhance security. This was the first time such a meeting had occurred. The two sides issued a joint statement on security calling, inter alia, for the creation of a joint crisis task force involving Kosovo Albanians, Kosovo Serbs, UNMIK and KFOR. The joint statement on security was immediately broadcast over Radio Pristina and video coverage of the event was widely broadcast.

27. Following reports of the deliberate destruction of documentation, UNMIK, with the assistance of KFOR, has taken measures to secure official records stored in administrative buildings.

28. UNMIK has closely cooperated with ICTY and provided support for its activities. ICTY is engaged in the collection of evidence, including the processing of crime scene sites throughout Kosovo, to support existing and new indictments. New sites are being discovered almost daily and are being secured

by KFOR until they can be documented. By 1 July 1999, over 150 crime scene sites had been reported by KFOR.

29. Supported by the United Nations Mine Action Service and the United Nations Office for Project Services (UNOPS), UNMIK's mine action team has begun setting up the mine action programme for Kosovo, the first step of which is the establishment of the United Nations Mine Action Coordination Centre (UNMACC). This Centre is being mobilized and is already coordinating emergency mine action activities in Kosovo with its various partners, including United Nations agencies, in particular the United Nations Children's Fund (UNICEF), KFOR, NGOs, commercial companies and international organizations, in order to ensure that all available resources are being used efficiently and effectively in support of the UNHCR return programme.

30. UNMIK and KFOR have also worked closely to coordinate mine action efforts. Early consultations resulted in the expeditious establishment, with the support of the Geneva International Center for Humanitarian Demining, of a shared information management system for mine action that will contain all mine and unexploded ordnance (UXO)-related information on Kosovo. The database, which has initially been set up at KFOR headquarters, will be transferred to UNMACC as soon as the latter is fully operational. Other cooperative efforts between KFOR and UNMIK mine action staff include the development of maps showing the mine/UXO suspected and confirmed areas, the sharing of technical information on the mine/UXO threat, and the sharing of mine information received from the Yugoslav army and KLA sources.

31. The principal United Nations humanitarian agencies – UNHCR, the World Food Programme (WFP), UNICEF and the World Health Organization (WHO) – as well as the International Organization for Migration (IOM), ICRC and the International Federation of the Red Cross (IFRC) have established representative offices at Pristina and are operating in all regions. Over 45 NGOs, along with major bilateral donors, have committed personnel and resources to meet the immediate relief needs of the people of Kosovo. The first humanitarian convoy, led by UNHCR, arrived at Pristina on 13 June 1999, within hours of KFOR securing the road from the former Yugoslav Republic of Macedonia border to the city. A base and warehouse were established, and efforts were made to reach vulnerable groups of internally displaced persons. UNHCR has established a regular supply and distribution system, and is also in the process of establishing a number of legal advice centres throughout Kosovo. An organized repatriation programme to selected areas inside Kosovo where security is reasonably assured has begun.

32. UNHCR, as the lead agency for humanitarian assistance in Kosovo, has organized a series of multisectoral and inter-agency assessments to identify the most urgent needs and areas for winterization programmes. WFP is conducting helicopter missions to locate and provide immediate assistance to displaced persons inside Kosovo. As of 8 July 1999, WFP had delivered over 5,723 tons of basic commodity items and emergency rations to Kosovo, of which 3,000 tons have already been distributed. WHO, UNICEF and a consortium of NGOs have initiated a rapid village assessment programme to provide details on the state of roads, populations, water and sanitation, food supplies, shelter and the availability of local services and utilities. UNICEF has initiated a mine awareness

campaign, and has distributed over 220,000 mine awareness leaflets throughout Kosovo through its NGO partners.

33. UNMIK continues to build working-level relationships with the other organizations that form part of the integrated mission structure. OSCE has established a mission task force to assess needs on the ground and establish its larger organizational presence. It has provided assistance in identifying judges, and has set up a local skills database for use by the interim civil administration. It has also loaned personnel to UNMIK on a temporary basis to support efforts to protect important documentation. Human rights monitors have worked closely with KFOR on actions to protect and promote human rights. OSCE has identified a site for establishing a police training academy and preparations to begin training police cadets are under way.

34. The head of the European Union advance team of the Task Force for Reconstruction arrived at Pristina on 28 June 1999 to meet with UNMIK personnel and begin the process of joint planning for reconstruction and economic recovery. An initial damage assessment mission commissioned by the EU is currently under way.

IV. AUTHORITY AND COMPETENCIES OF THE MISSION

35. The Security Council, in its resolution 1244 (1999), has vested in the interim civil administration authority over the territory and people of Kosovo. All legislative and executive powers, including the administration of the judiciary, will, therefore, be vested in UNMIK.

36. In implementing its mandate in the territory of Kosovo, UNMIK will respect the laws of the Federal Republic of Yugoslavia and of the Republic of Serbia insofar as they do not conflict with internationally recognized human rights standards or with regulations issued by the Special Representative in the fulfilment of the mandate given to the United Nations by the Security Council. In the same vein, the UNMIK interim civil administration will respect the existing institutions to the extent that they are compatible with its mandate. Arrangements will be entered into with the Federal Republic of Yugoslavia in order to facilitate UNMIK activities in territories of the Federal Republic of Yugoslavia outside Kosovo.

37. Any movable or immovable property, including monies, bank accounts and any property of or registered in the name of the Federal Republic of Yugoslavia or the Republic of Serbia or any of its organs which is in the territory of Kosovo will be administered by UNMIK.

38. In exercising their functions, all persons undertaking public duties or holding public office in Kosovo will be required to observe internationally recognized human rights standards, and shall not discriminate against any person on any grounds, such as sex, race, colour, language, religion, political or other opinion, national, ethnic or social origin, association with a national community, property, birth or other status.

39. The authority vested in UNMIK will be exercised by the Special Representative. He will be empowered to regulate within the areas of his responsibilities laid down by the Security Council in its resolution 1244 (1999). In doing so, he may change, repeal or suspend existing laws to the extent necessary for the carrying out of his functions, or where existing laws are incompatible with the mandate, aims and purposes of the interim civil administration.

40. The Special Representative will also have the authority to appoint any person to perform functions in the interim civil administration in Kosovo, including the judiciary, and to remove such persons if their service is found to be incompatible with the mandate and the purposes of the interim civil administration. Such authority shall be exercised in accordance with the existing laws, as specified previously, and any regulations issued by UNMIK. In exercising this function, the Special Representative will endeavour to have all elements of Kosovo society appropriately represented and to respect the requirements and procedures for appointments and nominations provided for under local law. He shall, furthermore, promote the independence of the judicial system as the guarantor of the rule of law.

41. In the performance of the duties entrusted to UNMIK, the Special Representative will, as necessary, issue legislative acts in the form of regulations. Such regulations will remain in force until repealed by UNMIK or suspended by rules issued by the Kosovo Transitional Authority once it is established (see para. 114 below).

42. In its resolution 1244 (1999), the Security Council requests UNMIK to protect and promote human rights in Kosovo. In assuming its responsibilities, UNMIK will be guided by internationally recognized standards of human rights as the basis for the exercise of its authority in Kosovo. UNMIK will embed a culture of human rights in all areas of activity, and will adopt human rights policies in respect of its administrative functions.

V. STRUCTURE OF THE MISSION

43. In order to fulfil the provisions of Security Council resolution 1244 (1999) effectively, the structure of UNMIK must ensure that all of its activities in Kosovo are carried out in an integrated manner with a clear chain of command. The Mission will be composed of four main components led by the United Nations (civil administration), UNHCR (humanitarian), OSCE (institution-building) and the EU (reconstruction). Each of these components will rely on the capabilities and expertise of the lead organization, as well as that of various other international organizations and agencies. While maintaining coherence and effectiveness, the lead organization will incorporate its own respective command structures.

44. The Special Representative of the Secretary-General as the head of UNMIK, is the highest international civilian official in Kosovo. He will enjoy the maximum civilian executive powers envisaged and vested in him by the Security Council in its resolution 1244 (1999), and will also be the final authority on their interpretation. In accordance with Security Council resolution

1244 (1999), the Special Representative will facilitate a political process designed to determine Kosovo's future status, taking into account the Rambouillet accords.

45. In view of the complexities of the UNMIK mission and the multifaceted tasks it will be required to perform, it was imperative to appoint a Principal Deputy Special Representative, who will assist the Special Representative in directing and managing UNMIK and will also ensure a coordinated and integrated approach by all of the Mission's four components. Each of the four components will be headed by a deputy special representative, drawn from the international organization which will have the lead responsibility in a particular area.

46. The deputy special representatives will report directly to the Special Representative on the implementation of their tasks, and will also be responsible for ensuring the effective coordination of all activities, both of UNMIK and its partners, within their areas of designated responsibility. While the deputy special representatives have overall responsibility for activities falling under their authority, the Special Representative will retain the ability to direct activities to ensure the coherent implementation of the tasks assigned to the mission.

47. An Executive Committee whose membership will include the Principal Deputy Special Representative and the four deputy special representatives, will be chaired by the Special Representative. The Executive Committee will assist the Special Representative in fulfilling his responsibilities, and will be the main instrument through which he will control the implementation of UNMIK's objectives. Through the Executive Committee, he will oversee tasks relating to effective mission integration, such as the setting of implementation priorities, the phasing and designation of tasks, ensuring effective coordination with outside agencies, especially KFOR, and the setting of overall mission policy.

48. The Executive Committee will be assisted by a Joint Planning Group (JPG), which will be chaired by the Principal Deputy Special Representative. JPG will be composed of senior planning staff from each lead organization. The main tasks of JPG will be to ensure consistency of plans between the components, in particular links between emergency relief and longer-term reconstruction activities, as well as between interim civil administration and institution-building. KFOR will be invited to designate a senior representative to work with JPG on military-civilian issues. Representatives of other agencies will be invited to participate when necessary.

49. The Special Representative will have an Executive Office headed by a Director to assist him in his duties. The Office will include senior staff to advise the Special Representative on legal, political and economic matters. A senior human rights adviser will ensure a proactive approach on human rights in all UNMIK activities and ensure the compatibility of regulations issued by UNMIK with international human rights standards. There will also be a gender advisory unit to provide guidance on how to mainstream gender issues into the mandate and activities of the various components. UNMIK will require a substantial administration component in order to support it administratively and logistically.

50. A Chief Military Officer, who will head the UNMIK Military Liaison Office, will also be assigned to the Special Representative. The Military Liaison Office will deploy officers to KFOR at the headquarters, regional and multinational brigade levels. The military liaison officers will also provide military advice to the UNMIK components, assist in assessing threats to the security of the international civilian personnel, and provide advice on such matters to UNMIK and its partners.

51. UNMIK will have a substantial unified public information programme. Its public information activities will support all aspects of its mandate. The Public Information Division will be comprised of an office of the Director, a spokesperson's office, units for radio and television, print and publication production, mass information and outreach, the Internet and media monitoring, and will be responsible for the overall management of a radio production facility.

52. It is also foreseen that UNMIK will have liaison offices, including military liaison officers, at Skopje, Tirana, and subject to the agreement of the Federal Republic of Yugoslavia, at Podgorica. The existing liaison office at Belgrade will also support UNMIK. The liaison offices will address issues affecting the mission and assist the Special Representative in his contacts with authorities in those capitals.

VI. MAIN COMPONENTS OF THE MISSION

53. Under the direction of the Special Representative, the four components of UNMIK will act in an integrated manner to attain the objectives set out in paragraph 11 of Security Council resolution 1244 (1999). The allocation of tasks set out below cannot, therefore, be perceived as being exclusive to one or another of the components.

A. Civil administration component

54. The civil administration functions of UNMIK, led by the United Nations, will be divided into functional departments as set out below.

1. Public administration/civil affairs

55. The civil administration component will establish the multi-ethnic governmental structures essential for the sustainable delivery of public services where and as long as required.

56. UNMIK will make maximum use of skilled former or current public employees, irrespective of ethnicity. They will be integrated into the interim civil administrative structure as quickly as possible. The guiding principles for integration are capability, the level of local confidence enjoyed by the individuals, efficiency and integrity. As the integration of trained staff proceeds and their capacity increases, the level of day-to-day executive control exercised by UNMIK should diminish.

57. Small teams of international staff with professional experience in the various facets of public administration (ranging from management of health services to post and telecommunications) will contribute to the provision of public services throughout Kosovo, oversee service implementation, and undertake or direct the administration. Qualified public service advisers will give guidance on the implementation of sectoral policies in the municipalities of the region.

58. In the municipalities, UNMIK public administration staff will oversee the implementation of policy directives, report on the effectiveness of local bodies and use executive authority, where necessary. They will also provide advice to KFOR and justice officials operating in the region.

59. In the field of education, there is a continuing pressing need to align the Serb and Kosovo Albanian systems. Under the supervision of the civil administration and with advice from international organizations and NGOs, curricula, the standardization of exams, the recognition of degrees, and the financing and supervision of schools should be determined jointly by representatives of all communities. This would imply the recognition of both education systems on the basis of their fulfilment of certain standards and, where possible, integration.

2. Police

60. Two main goals will define UNMIK's law and order strategy in Kosovo: provision of interim law enforcement services, and the rapid development of a credible, professional and impartial Kosovo Police Service (KPS). To achieve these goals, UNMIK will deploy international police personnel, commanded by a UNMIK Police Commissioner who will report to the Special Representative through the Deputy Special Representative for Interim Civil Administration. UNMIK's international police personnel will be deployed to the five Kosovo regions. It will consist of three separate elements: civilian police (1,800 officers), special units (10 formed units of about 115 officers each) and border police (205 officers). The functions of the three elements will change over three distinct phases.

61. In the first phase, KFOR will be responsible for ensuring public safety and order until the international civil presence can take responsibility for this task. Until the transfer of that responsibility, UNMIK's civilian police will advise KFOR on policing matters and establish liaison with local and international counterparts. The special police units under UNMIK control will also establish liaison with local and international counterparts and protect United Nations installations, if needed. UNMIK border police will advise KFOR units stationed at the border.

62. In the second phase, once UNMIK has taken over responsibility for law and order from KFOR, UNMIK civilian police will carry out normal police duties and will have executive law enforcement authority. At that time, UNMIK civilian police will be armed. To the extent that trained local police become available through the police academy under UNMIK's institution-building component, UNMIK civilian police will initiate on-the-job training, advising and monitoring.

UNMIK special police units will carry out public order functions, such as crowd control and area security. The special police units will also provide support for UNMIK civilian police and protect UNMIK installations. At that time, it would be preferable for any special police unit previously under KFOR command to be transferred to UNMIK authority so as to avoid two units with similar mandates in the same theatre. The United Nations border police will ensure compliance with immigration laws and other border regulations. KFOR will continue to support UNMIK in these efforts, as required.

63. A cadre of local community liaison officers will be employed as soon as possible to serve as an interface between UNMIK civilian police and the population, assist in the assessment of the law and order situation, and demonstrate early local engagement with UNMIK policing tasks. Community liaison officers will exercise no police powers, and will undergo a basic skills and standards course at the police academy. They will be hired strictly on a limited-term basis, although they will be given due consideration for subsequent selection to the permanent Kosovo police service.

64. UNMIK will begin developing a professional Kosovo Police Service immediately, recruiting candidates on the basis of stringent standards for selection and conduct ongoing screening and background checks. This will be done jointly by UNMIK police leadership and personnel responsible for the police academy. KPS will have to be representative of the different ethnic communities of the municipalities in which it serves. Training for selected candidates will include basic training organized in the police academy, as well as field training under the supervision and guidance of UNMIK civilian police. Background screening and critical assessment of the performance of KPS officers will be ongoing, and the Police Commissioner will retain full discretion, under the authority of the Special Representative, to dismiss or discipline KPS officers. UNMIK civilian police will, moreover, maintain the capacity and authority to conduct independent investigations of alleged human rights violations or other misconduct by the members of KPS. It will also be responsible for developing an effective and transparent command structure for KPS in accordance with international standards of democratic policing.

65. In the third phase, once properly trained and selected local police in sufficient strength are available, UNMIK will transfer responsibilities for law and order and border policing functions to the Kosovo Police Service. At that time, UNMIK civilian and border police will revert to training, advising and monitoring functions. UNMIK special police units might still be needed as a backup.

3. Judicial affairs

66. There is an urgent need to build genuine rule of law in Kosovo, including through the immediate re-establishment of an independent, impartial and multi-ethnic judiciary. Politically motivated and ethnically one-sided appointments, removals and training led to a judiciary in which, out of 756 judges and prosecutors in Kosovo, only 30 were Kosovo Albanians. The exodus of Kosovo Serbs has accelerated the collapse of the judicial system. The daily arrests of criminals by KFOR and the need to bring to justice those who are

suspected of having committed the most serious crimes, including war crimes, amplifies the urgency of these issues. This is a fundamental challenge for UNMIK. Only a fully functioning independent and multi-ethnic judicial system will address the existing security concerns in Kosovo and build public confidence. Where justice can be seen to be done, it will also make an important contribution to reconciliation in Kosovo.

67. Under its civil administration component, UNMIK will have a Judicial Affairs Office, with four major areas of responsibility: the administration of courts, prosecution services and prisons; the development of legal policies; the review and drafting of legislation, as necessary, for the goals and purposes of UNMIK; and the assessment of the quality of justice in Kosovo, including training requirements.

68. The establishment of an independent and multi-ethnic judiciary requires immediate action. For an interim period, the judges and prosecutors appointed by the emergency judicial panel will hold office until a newly created judicial commission can conduct a Kosovo-wide selection process. In view of the knowledge required in the domestic judicial system, UNMIK will continue to fill the judiciary and the prosecution service with professionals recruited from among local lawyers.

69. Generally, newly appointed judges should receive continuous training, particularly in the area of the law and application of international instruments on human rights, in particular the Universal Declaration of Human Rights, the 1966 International Convention on Civil and Political Rights, the 1966 International Covenant on Economic, Social and Cultural Rights, and the European Convention on the Protection of Human Rights and Fundamental Freedoms and its Protocols. In addition, it will be important to provide immediate "quick start" training programmes in domestic and international law for those Kosovo Albanian lawyers who were trained during the time of the "parallel institutions" or were banned from practising their profession in the past decade. These efforts will be supplemented by the dissemination of international instruments in local languages.

70. UNMIK will also establish a technical advisory commission on the structure and administration of the judiciary and the prosecution service. This commission will provide advice on such matters as the territorial jurisdiction of existing courts and the workload of judges and prosecutors with a view to rationalization and possible reduction in the number of judges and prosecutors, and salaries. The commission shall also be composed of both local and international experts and make recommendations to the Judicial Affairs Office within two months of its establishment.

71. As an initial step, UNMIK will re-establish the Supreme Court of Kosovo, which was abolished in 1991, to hear, inter alia, appeals against decisions of the current five district courts in Kosovo. Similarly, a General Prosecutor's Office will be re-established.

72. UNMIK'S Judicial Affairs Office will also re-establish and reform the correctional system in Kosovo, in a legal and operational framework that is consistent with international prison standards. Due to the exodus of most of

the prison staff and the transfer of prisoners to facilities in Serbia and Montenegro, the prisons in Kosovo are literally empty at the moment. UNMIK will recruit, select and train new as well as former staff of these prisons, applying the highest international standards regarding prisons and human rights. As an immediate step, a thorough assessment of the existing correctional facilities will be conducted, and an initial contingent of prison wardens will be deployed to fill the current vacuum.

73. The establishment of strong and independent judges and prosecutors associations in Kosovo is an additional and essential institutional safeguard for building and securing an independent judiciary. At the same time, UNMIK will sponsor the revival of the Kosovo Bar Association to help identify and build legal capacities and further support the creation of an effective judiciary.

74. UNMIK is also planning to establish a legal aid scheme to facilitate equal access to courts and ensure the provision of legal assistance, where required, in particular in property cases and domestic war crimes cases, which may constitute a significant portion of all cases in the near future. This effort will be complemented by disseminating information on the legal system in general and the legal rights of the individual in particular.

75. UNMIK will initiate a process to amend current legislation in Kosovo, as necessary, including criminal laws, the law on internal affairs and the law on public peace and order, in a way consistent with the objectives of Security Council resolution 1244 (1999) and internationally recognized human rights standards.

76. UNMIK will address on a priority basis the problem of identification and documentation of all people in Kosovo, particularly returnees and IDPs. This process will contribute to maintaining law and order, facilitate the restoration of social services and help to resolve a number of potential legal problems, including property rights. As a priority, UNMIK will attempt to locate and secure key documents as well as record books and archives. The reissue of obligatory documents will become crucial for voter registration and elections. UNMIK will need to establish a team of international and national experts for these tasks. Addressing issues of documentation will also serve as a confidence-building and reconciliation measure since it will address the problem of illegal immigrants and the fears of Kosovo residents whose records, and personal and property documents, have been seized or destroyed.

77. Serious violations of property rights in Kosovo have occurred before, during and after the military conflict. There are indications that irregular property transactions were conducted in the years prior to the conflict, discriminating against Kosovo Albanians. The rapid return of Kosovo Albanians and the need for alternative accommodation for those who have lost their property, as well as the displacement of large numbers of the Serbian population, have led to an increasing number of cases of violation of tenure and occupancy rights. There are reports of illegal occupation of land and property in areas left by departing Albanian and Serbian local residents, as well as indications that criminal groups may be taking control of vacant housing and

property in flagrant violation of the legitimate rights of the original owners and occupants.

78. The continuation of these incidents is reinforcing divisions, and will hinder peace-building efforts and the establishment of democratic institutions in Kosovo. Loss of records and irregular property transactions in recent years preclude a transparent process of property restitution. UNMIK, with the support of other international organizations and agencies, will establish a standard registry of property claims; redress legal measures on property taken in recent years and that in any way discriminate against any ethnic group; and rebuild the property and cadastral records. UNMIK will also establish a court to review property disputes.

B. Institution-building component

79. The tasks of the institution-building component of the UNMIK mission, which will be led by OSCE, will include assisting the people of Kosovo in strengthening the capacity of local and central institutions and civil society organizations, as well as promoting democracy, good governance and respect for human rights. It will also include organizing elections. Given the recent history of the region, much work will be required to establish the foundations of a free, pluralist and multi-ethnic society.

1. Democratization and institution-building

80. As an immediate priority, UNMIK will work with other international organizations to identify the needs of local civil administrators and provide them with the required training as quickly as possible. It will also facilitate the awareness and involvement of citizens in social and political change in Kosovo by strengthening the development of local citizens, women's and youth groups, and professional, cultural and other associations. Existing structures will be preserved to the maximum extent possible. UNMIK will also undertake programmes to facilitate conditions that support pluralistic political party structures, political diversity and a healthy democratic political climate.

81. Over the longer term, UNMIK will develop an integrated approach to the strengthening of governance structures through the training of government officials and executive and administrative officers in procedures of democratic governance.

82. UNMIK has the unprecedented opportunity to lay the foundation for democratic and professional media in Kosovo. At present, there is a serious lack of objective information. While a few newspapers are in circulation in Kosovo, there is a near vacuum in the sphere of electronic media. UNMIK will support the emergence of independent media and will monitor compliance with international media standards. The Special Representative will appoint a media regulatory commission to manage the frequency spectrum, establish broadcast and press codes of conduct, and issue licences.

83. In facing the challenge of fostering the development of independent media in Kosovo, UNMIK will promote a media culture based on democratic principles. To create a framework for this purpose, the Special Representative intends to establish an independent media board, which will include representatives of the media and civil society. The board will, inter alia, identify reconstruction priorities for media infrastructure.

2. Elections

84. In accordance with paragraph 11 (c) of Security Council resolution 1244 (1999), UNMIK will organize and oversee the development of provisional institutions for democratic and autonomous self-government pending a political settlement. This includes the holding of elections. In order to prepare an environment in which free, fair and multi-ethnic elections can be held, UNMIK will conduct wide-ranging activities related to confidence-building, reconciliation and the restoration of democratic political organizations and institutions. A key element of this process will be the design and implementation of a comprehensive voter registration, which will be closely linked to the civic identification process. It will also be necessary to conduct a census of Kosovo citizens residing in the province as well as refugees and displaced persons. These will be an immense challenge given the level of displacement and the destruction of public records.

3. Human rights

85. To strengthen the rule of law in Kosovo, UNMIK will develop mechanisms to ensure that the police, courts, administrative tribunals and other judicial structures are operating in accordance with international standards of criminal justice and human rights. Any concerns will be brought to the attention of UNMIK civilian police, the Judicial Affairs Office or the independent commission on judicial appointments, as appropriate.

86. UNMIK will also ensure that ICRC and other relevant organizations have unimpeded access to detention facilities in Kosovo. The treatment of detainees, the standard of prison facilities and the running of prison facilities will be monitored for compliance with international standards. UNMIK will also ensure the identification and subsequent dissolution of illegal detention facilities in Kosovo.

87. UNMIK will have a core of human rights monitors and advisors who will have unhindered access to all parts of Kosovo to investigate human rights abuses and ensure that human rights protection and promotion concerns are addressed through the overall activities of the mission. Human rights monitors will, through the Deputy Special Representative for Institution-building, report their findings to the Special Representative. The findings of human rights monitors will be made public regularly and will be shared, as appropriate, with United Nations human rights mechanisms, in consultation with the Office of the United Nations High Commissioner for Human Rights. UNMIK will provide a coordinated reporting and response capacity.

88. A particularly acute human rights problem in Kosovo is uncertainty about the whereabouts of family members who have gone missing during the conflict. Abductions have also occurred after the conflict ended. UNMIK will support the efforts of ICRC and ICTY on this issue, and the Special Representative will use his executive authority to directly intervene, when necessary, on the issue of missing persons. UNMIK will also undertake efforts to build and support local human rights capacity, based on experience within Kosovo civil society.

89. Recognizing that a strong system of human rights protection offers accessible and timely mechanisms for the independent review, redress and appeal of non-judicial actions, an ombudsperson institution will be established in Kosovo. It will receive, inter alia, complaints regarding the abuse, if any, of authority by the Interim Civil Administration and any emerging local institutions and any non-state actors claiming or exercising authority. The Ombudsperson's office will consist of national ombudspersons, supported by national and international professional staff.

90. The Ombudsperson, to be appointed by the Special Representative, will have jurisdiction over allegations of human rights by any person or entity in Kosovo, and will have the authority to conduct, either on its own initiative or in response to an allegation by any person or entity, its own investigations. It will take all necessary action to address those violations, including by directly intervening with relevant authorities, which will be required to respond within a time limit as prescribed by the Ombudsperson. The Ombudsperson will make recommendations to these authorities, including on the compatibility of domestic laws and regulations with recognized international standards. The Ombudsperson will provide a regular report to the Special Representative and make its findings public.

C. Humanitarian component

91. The humanitarian component will be led by UNHCR. The success of the humanitarian aspects of the Kosovo operation will depend on how quickly and accurately a clear needs assessment can be conducted and translated into action, utilizing funds provided by the international donor community. It is essential that humanitarian activities be closely coordinated with those devoted to reconstruction.

1. Humanitarian assistance

92. The priority for the humanitarian community is to ensure that adequate shelter, food, clean water, medical assistance and employment will be available to meet the needs of the growing number of returnees inside Kosovo itself. In collaboration with developmental partners, the United Nations system agencies are also preparing programmes for the longer-term rehabilitation, reconstruction and development of the region.

93. In the coming weeks, UNHCR will design and implement a protection strategy to address the protection needs of returning refugees and IDPs, as well as Croatian Serb refugees and the Serb and Roma ethnic minorities in Kosovo.

Humanitarian programmes will also target urgent and essential infrastructure repairs and short-term rebuilding efforts to ensure that the population at large are prepared for the approaching winter. UNHCR will also provide for the transport and distribution of materials that will be used to provide shelter to families whose houses were largely destroyed.

94. IFRC, complemented by IOM, will work with Kosovo's Red Cross structure to support activities aimed at longer-term rehabilitation of health services, agriculture, village water systems, hospital training and psycho-social support.

95. WFP and NGOs will continue to furnish food supplies from stocks in Albania and the former Yugoslav Republic of Macedonia, and are establishing a supply line from Thessaloniki via Skopje into Kosovo. Daily deliveries of bread are also supplied from Kukes in Albania to Djakovica in western Kosovo.

96. WHO, UNICEF and NGOs have commenced the distribution of drug kits throughout Kosovo.

97. The Food and Agriculture Organization of the United Nations (FAO) is currently assessing the region's agricultural needs in the coming months. The means will be provided to enable farmers to protect livestock and make provision for the autumn planting.

98. The success and efficiency of the humanitarian operation will depend on a coordinated and coherent approach. To this end, UNHCR has established an inter-agency coordination unit with direct support from the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat.

2. Mine action

99. UNMACC will plan mine action activities and act as the point of contact and coordination between the various mine action partners, including KFOR, United Nations agencies and international organizations, NGOs and commercial companies. During the initial emergency phase, UNMACC will focus on mine action in support of humanitarian relief, the repatriation and resettlement of refugees and IDPs, and the deployment of UNMIK. This includes setting up an information management system for mine action database, defining the scope of the mine/UXO threat, mobilising mine action resources, conducting mine action liaison and planning with KFOR, planning and coordinating the efforts of the humanitarian mine action resources in support of the UNHCR return plan, and responding to other humanitarian needs.

100. In the longer term, UNMACC will coordinate mine action support for the reconstruction of Kosovo; assist local authorities in the development of a comprehensive and integrated mine action plan; disseminate, manage and collect mine/UXO-related information; develop technical and safety standards; and perform quality assurance management tasks. In performing these functions, UNMACC will investigate the feasibility of utilizing indigenous and other mine action capabilities and retain the option of contracting for this purpose. UNMACC will also coordinate a Kosovo-wide, initial survey of the mine and unexploded ordnance threat in order to determine the scope of the problem and

establish priorities for the allocation of available and anticipated mine action resources. The information management system for mine action that has been set up at KFOR headquarters, will be transferred to UNMACC as soon as the latter is fully operational.

D. Reconstruction component

101. UNMIK has an obligation to promote peace and prosperity in Kosovo and to facilitate the development of an economic life that brings better prospects for the future. In paragraph 11 (g) of its resolution 1244 (1999), the Security Council mandates UNMIK to support the reconstruction of key infrastructure and other economic and social systems. This component of the mission will be led by the European Union.

102. The main functions of the reconstruction component will be to plan and monitor the reconstruction of Kosovo; prepare and evaluate policies in the economic, social and financial fields; and to coordinate between the various donors and international financial institutions in order to ensure that all financial assistance is directed towards the priorities indicated by UNMIK. Since policies in the economic, social and financial fields will, in many cases, have a bearing on the work of the other components of UNMIK, it is important that these policies be properly coordinated within UNMIK.

103. The Special Representative will seek to create a viable, market-based economy and to develop a comprehensive approach to the economic and social development of Kosovo, taking into account, inter alia, the Stability Pact for Southeastern Europe. Under his direction, UNMIK will consult with representatives of Kosovo communities, the United Nations Development Programme (UNDP) and other relevant United Nations organizations, and will seek the advice and guidance of international financial institutions in order to develop a comprehensive programme for the economic and social stabilization and development of Kosovo. Such a programme will map the institutional framework which should prevail in the medium term, and will elaborate policy actions which are compatible with it.

104. As an urgent priority, UNMIK will thoroughly assess the existing legal, financial, and fiscal structure and capacities in order to put in place policies for the recovery, development and future integration of Kosovo into a healthy and expanding regional economy in Southeastern Europe. Among others, these policies will encompass trade and commercial issues, currency and monetary issues, and a banking system.

105. Reconstruction and economic recovery of Kosovo will occur in three overlapping phases, which will encompass immediate humanitarian relief, reconstruction and rehabilitation, and the creation of a viable market economy and equitable social system.

106. In addition to humanitarian measures, which remain an urgent necessity, the rehabilitation of essential services (power, water, sanitation, health education) and infrastructure require immediate attention. In this regard, an emergency programme to maintain the payroll and recurring costs of essential

services in the Interim Civil Administration is of particular urgency, pending development of a system for revenue generation. Other priority needs in the short term include restarting local economic activities (including small and medium enterprise development) and the restoration of social protection systems.

107. Pending the finalization of a programme for stabilization and development, it will be of paramount importance that these basic service and support activities start as soon as possible and target resident populations, returnees, internally displaced persons and other war-affected and vulnerable populations alike. These short-term activities should be identified, planned and implemented in conjunction with resettlement measures, the establishment of interim civil administrative structures, and institution-building activities.

108. Projects in the long-term category will include investment in capital infrastructure as well as human resources development. These projects will be selected on the basis of assessments of inherent future revenue potential conducted by the international financial institutions or other appropriate international institutions. Financial support will be obtained with the assistance of foreign donors in the first instance and from domestic sources, including public revenue collection. As a general consideration, foreign financial assistance should take into consideration Kosovo's economic size and absorptive capacity. Disproportionately large inflows of funds risk distorting the structure of the Kosovo economy.

109. With respect to international assistance, the European Community (EC) and the World Bank will organize an initial donor conference on 28 July 1999, to cover relief as well as urgent reconstruction requirements. This will be followed in the coming months by donor pledging conferences for reconstruction requirements.

VII. GENERAL STRATEGY

110. The work of UNMIK will be conducted in five integrated phases. The first phase will focus on the establishment and consolidation of UNMIK's authority and the creation of interim UNMIK-managed administrative structures. To ensure participation from the outset, local consultative bodies will be established at both the political and the functional levels. Deployment of international civilian police liaison officers with KFOR public security units will be accelerated. The provision of emergency assistance to returning refugees and the internally displaced will also be a major priority, as will the early commencement of shelter reconstruction to ensure completion before the onset of winter. Basic public services will be restored and maintained, and capacity-building activities, including police and judicial training, will be carried out.

111. UNMIK will also develop a phased plan for economic recovery and development. UNMIK will need to develop expenditure priorities bearing in mind both reconstruction and social needs, as well as the most appropriate division of responsibility between central and local authorities. Customs revenue will represent one of the most important sources of finance to meet public expenditures in the short term. As soon as UNMIK can deploy civilian customs

agents at Kosovo's international borders, it will commence collection of customs revenues for use to meet Kosovo public spending needs.

112. UNMIK will aim at the establishment and maintenance of a viable, self-sustaining economy covering, inter alia, public finance, trade and commerce, currency and monetary policies, customs, and fiscal as well as banking issues.

113. Once conditions of basic stability have been achieved, the second phase of UNMIK's efforts will be directed towards the administration of social services and utilities, and the consolidation of the rule of law. UNMIK will continue to encourage the revival of broadly representative political activity and political expression, including through assistance to the formation of political party structures. It will also encourage the strengthening and deepening of civil society through, inter alia, the revival of print and broadcast media and the promotion of reconciliation at the grass-roots level. These efforts will have as their goal the promotion of harmonious relations between all ethnic communities within Kosovo. In this phase, it is expected that there will be intensive efforts to build, and where possible restore, basic economic structures, such as payments systems, public finances and hard budget constraints, so as to promote economic and social development as well as to make donor assistance efforts effective and sustainable. During the latter stages of phase two, it is expected that provisional transfer of executive authority for the management and administrative functions of specific sectors, such as health and education, could begin at the local and possibly regional levels. Preparations will also begin for the conduct of elections.

114. Once sufficient progress has been made towards the goals set for the second phase, UNMIK will move into the third phase. The emphasis during this phase will be the finalization of preparations for and the conduct of elections to what may be termed the Kosovo Transitional Authority. This will require UNMIK to ensure the necessary preconditions for free and unfettered political expression, free assembly, and campaigning by parties and candidates, including through equitable access to the media. This will also involve UNMIK-managed or conducted voter registration, electoral training, and monitoring of votes and ballot-counting. During this phase, administrative and economic revival will continue and deepen. Local revenue generation should increasingly replace international assistance. It is envisaged that efforts to facilitate the political process designed to determine Kosovo's future status, taking into account the Rambouillet accords, will be intensified during this phase of UNMIK's work.

115. In the fourth phase, UNMIK will oversee and, as necessary, assist elected Kosovo representatives in their efforts to organize and establish provisional institutions for democratic and autonomous self-government. As these are established, UNMIK will transfer its remaining administrative responsibilities while overseeing and supporting the consolidation of Kosovo's local provisional institutions.

116. A concluding fifth phase will depend on a final settlement and the dispositions made therein. As provided for in paragraph 11 (f) of Security Council resolution 1244 (1999), in a final stage UNMIK would oversee the

transfer of authority from Kosovo's provisional institutions to institutions established under a political settlement.

VIII. OBSERVATIONS

117. The adoption of Security Council resolution 1244 (1999) and the deployment of KFOR and UNMIK has marked the end of a tragic chapter in the history of the people of Kosovo. The task before the international community is to help the people of Kosovo to rebuild their lives and heal the wounds of conflict. Reconciliation will be a long and slow process. Patience and persistence will be needed to carry it through.

118. The concept outlined in the present report to implement this challenging mandate is a novel one. Four international organizations and agencies will be working together in one operation under one leadership. None of them would be able to span the wide range of complex activities on its own. Setting up an interim administration, providing humanitarian relief, building democratic institutions and restoring an entire economy would go beyond the competence and capabilities of just one organization. The cooperation of the lead agencies and those other organizations which will contribute to the four components will set a precedent for the future.

119. During the interim period, UNMIK will endeavour to promote, in cooperation with KFOR, an atmosphere of security and safety that will enable all refugees and internally displaced persons, regardless of their ethnicity, to return freely to their homes and live there in conditions in which the highest standards of human rights and fundamental freedoms are respected. It will, furthermore, endeavour to create conditions of normalcy in Kosovo under which all peoples can enjoy the benefits of democracy and self-governance. UNMIK will ensure at an early stage the involvement of local leaders in the interim administration through the Kosovo Transitional Council and sectoral joint consultative committees. Nobody can be excluded from this process. I strongly encourage all ethnic communities and parties in Kosovo to demonstrate restraint and tolerance and fully cooperate with the international community in the implementation of tasks defined by the Security Council in its resolution 1244 (1999). I wish to remind them that the only legitimate path to any future political settlement for Kosovo is through the mechanisms envisioned in Council resolution 1244 (1999). I also urge the Government of the Federal Republic of Yugoslavia to cooperate fully with the provisions of that resolution.

120. The Security Council has mandated the United Nations with an unprecedented challenge in Kosovo. To meet this challenge and fulfil the responsibilities entrusted to the Organization, significant financial resources and personnel, including experts in various fields, will be required immediately. As indicated above, the situation on the ground in some areas remains tense, and I am particularly concerned about the continued harassment and lack of security of minority groups in Kosovo. The full deployment of KFOR and UNMIK personnel will undoubtedly contribute to the easing of these tensions. In order to create a climate of law and order, UNMIK must rapidly deploy international police throughout Kosovo. I commend those Governments which have offered police personnel for this purpose and appeal to other Member States to urgently place

police officers at UNMIK's disposal. Their early arrival is essential if we are to stem the tendency towards lawlessness which is taking hold in some areas. I also count on the Security Council's support on this matter.

121. If we are to succeed to establishing the rule of law as the basis for the development of democratic institutions, it is also vital to rapidly revive the judicial penal systems of Kosovo. Reconciliation will not begin until those suspected of committing the most serious crimes, especially war crimes, are brought to justice. I appeal to Member States to place at UNMIK's disposal sufficient resources in terms of personnel and experts to meet the tremendous needs in this area.

122. The strong and committed financial backing of the donor community will enable relief agencies to continue humanitarian assistance to all those in need in Kosovo. The Office for the Coordination of Humanitarian Affairs will shortly present to donors a Consolidated Inter-agency Appeal that will outline funding requirements to enable agencies and their partners to move forward with the implementation of humanitarian operations in Kosovo. At this stage, the priority humanitarian need is for the rehabilitation of shelter. Efforts must begin immediately if people whose homes were damaged or destroyed during the war are to be protected from the oncoming winter.

123. Aside from humanitarian assistance, there is a broad variety of urgent needs in the aftermath of the Kosovo conflict. Most essential is the payment of local salaries in the public sector. I commend those Governments that have already provided funding for salaries, and appeal to other Member States to make available the far greater resources required. If we are not able to meet this requirement, we will face a collapse of the public sector in Kosovo which will have tremendous implications for social order and jeopardize the success of the Interim Administration. A long-term commitment in reconstruction and restoration will also be required. A Trust Fund established in the Office of the Special Representative will provide a temporary facility through which such needs can be met. I commend those Governments which have already contributed to this Fund and appeal to other Member States urgently to make available the necessary resources.

124. In order to achieve its goals, it is essential that all components of UNMIK act in a fully integrated manner and speak with one voice. Consultations with the EU and OSCE regarding modalities of their participation in the integrated structure of the United Nations Interim Administration Mission in Kosovo are continuing, and I will inform the Council of their results accordingly.

125. I will also inform the Council of the financial implications of the present report in due course.

126. The United Nations welcomes the opportunity to rise to the challenge of restoring peace, security, good governance and development to the shattered society of Kosovo. Such a mission goes to the heart of the purposes and principles of the Organization. Its effectiveness in responding to them is, however, dependent on prompt and strong support from the Council and Member States.

127. In conclusion, I would like to thank my Special Representative ad interim, Sergio Vieira de Mello, and the advance team of UNMIK personnel for the exceptional work they have done, under very difficult conditions, in establishing the mission and planning for its future. I would also like to pay tribute to all those international organizations, including KFOR, OSCE, the Council of Europe and the EU, for their assistance and cooperation in this collaborative effort.